

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2020

C O R A M

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.26936 of 2012

Kamala Subramaniam Educational Trust,
Rep. by its Managing Trustee,
Mr.S.Sethu Ganapathy Mohan,
No.94, Cathedral Road,
Gopalapuram,
Chennai - 600 086.

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Department of School Education,
Fort St. George,
Chennai.
- 2.The Directorate Elementary Education,
DPI Campus,
College Road,
Chennai - 600 006.
- 3.The Kabali Primary and Nursery School,
rep. by its Correspondent, Mrs.N.Meenakumai,
Kabali Nagar,
Adanur Village,
Guduvancheri Post,
Sriperumbuthur Taluk,
Kancheepuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the first and second respondents to dispose the representations dated 26.06.2012.

For Petitioner : Mr.G.Krishna Kumar

For Respondents 1 & 2: Mr.K.Ravikumar
Additional Government Pleader

For Respondent 3 : No appearance

ORDER

This writ petition has been filed for mandamus seeking for a direction to the first and second respondents to dispose of the petitioner's representation dated 26.06.2012.

2. It is the case of the petitioner that the petitioner is a trust running a school in the name of Kabali Matriculation School at Adanur Village, Sriperumbudur Taluk, Kancheepuram District. It is the case of the petitioner that one of the trustees, Mrs.Meena Mohan without any resolution or permission of the board of trustees has changed the name of the school as "Kabali Primary and Nursery School". It is the case of the petitioner that without getting any recognition from the respondents 1 and 2, Mrs.Meena Mohan has changed the name of the school as "Kabali Primary and Nursery School" and running the school till date. It is the case of the petitioner that he gave a representation dated 26.06.2012 to the respondents 1 and 2 to take action against Mrs.Meena Mohan, one of the trustees of Kamala Subramaniyam Educational Trust for her illegal activity in respect of trust. According to the petitioner, till date the representation has not been considered. In such circumstances, this writ petition has been filed.

3. Heard Mr.G.Krishnakumar, learned counsel for the petitioner, Mr.K.Ravikumar, learned Additional Government Pleader for the respondents 1 and 2. Despite service of notice on the third respondent, there is no representation on their side.

4. The prayer sought for in this writ petition is an innocuous prayer. No prejudice will be caused to the respondents if such a prayer is granted. Further, the case involves the management of a school. It is alleged that Mrs.Meena Mohan, one of the trustees of the petitioner trust without the permission of the Board of Trustees has changed the name of the school to Kabali Primary and Nursery School. It is also the petitioner's case without recognition, Mrs.Meena Mohan has been running the school Kabali Primary and Nursery School.

5. Having regard to the above, this Court is inclined to direct the respondents 1 and 2 to dispose of the petitioner's representation dated 26.06.2012 in accordance with law. Accordingly, the respondents 1 and 2 are directed to dispose of the petitioner's representation dated 26.06.2012 and pass final

orders after giving opportunity to the petitioner as well as to Mrs.Meena Mohan and the third respondent school in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

To
Sub Assistant Registrar

- 1.The Principal Secretary to Government,
Department of School Education,
Fort St. George,
Chennai.
- 2.The Directorate Elementary Education,
DPI Campus,
College Road,
Chennai - 600 006.

+1cc to Government Pleader SR.NO. 3500

W.P.No.26936 of 2012

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